

DELEGATED FILE NOTE

CASE OFFICER: ...Thomas Howe.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/02045/FPH	Extend depth of existing rear patio area and erection of two rear pergolas. Installation of timber fencing close to eastern boundary.(Development already carried out).	10 West Hill Hitchin Hertfordshire SG5 2HZ

Submitted Plan Nos

Location Plan NCA.372/2/PL002 NCA.372/2/PL003 NCA.372/2/PL004 NCA.372/2/PL005

1.0 Policies

D1	Sustainable design
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D2 House exts, replcmnt dwellings outbuild

D3 Protecting living conditions

T1 Assessment of transport matters

T2 Parking

SECN12 Achieving well-designed places

SECN14 Meeting climate change,coastal,flooding

2.0 **Site History**

2.1 No relevant history.

3.0 **Representations**

3.1 **Neighbour Representations** – 1x Objection from No. 8 West Hill:

- Concern regarding felling of trees within the site.
- Loss of privacy and associated biodiversity from the felling of the trees.
- Advises of ownership queries with regards to works to the boundary fences.
- Overbearing nature of development due to height and proximity.
- Concern with overlooking to boundary with No. 12 but no raise in boundary but introduces fences to No. 8 boundary despite similar privacy.
- Noise intrusion and privacy issues from siting of jacuzzi adjacent to boundary.
- Concerns with potential surface water flooding during rain events due to increase in hardstanding and roof surfaces.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 No. 10 comprises a detached two storey dwelling off West Hill, a residential road in Hitchin.

4.2 **Proposal**

4.2.1 Planning Permission is sought for:

- ☐ Extend depth of existing rear patio area and erection of two rear pergolas.
- ☐ Installation of timber fencing close to eastern boundary (Development already carried out).

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- The acceptability of the design of the development and its resultant impact on the character and appearance of the area.
- The impact that the development would have on the living conditions of neighbouring properties.
- The impact that the development would have on car parking provision in the area.
- The impact that the development would have on the environment.

Design and Appearance:

4.3.2 Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site's local context together with other criteria to encourage a positive and sustainable form of development. Policy D2 of the Local Plan requires extensions to houses and the erection or replacement of buildings to incorporate design that is sympathetic to the main dwelling in terms of its scale, form and orientation and does not harm the character and appearance of the locality around the site. These policies are broadly consistent with Section 12 of the National Planning Policy Framework.

4.3.3 The works are within the rear garden of the dwelling, and are therefore obscured from the street scene. Given the ground level of the landscaping changes, they are not visible from neighbouring gardens. I consider that the landscaping changes are suitably sympathetic to the existing garden arrangement and does not result in an overengineered form of development that appears out of place in a residential garden. The pergolas are not significant in scale and is set to the side boundaries of the patio area. Their appearance is also sympathetic to other similar structures in residential gardens within the district. I consider that their scale and siting retain a suitable degree of subservience to the main dwelling. The plot is not overdeveloped due to their presence. The design is therefore acceptable.

4.3.4 The development is therefore considered to be in compliance with Policies D1 and D2 of the Local Plan and the core principles set out within Section 12 of the National Planning Policy Framework. The design and appearance are therefore acceptable.

Impact on Neighbouring Properties:

- 4.3.5 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the National Planning Policy Framework.
- 4.3.6 The primary strands for consideration are the impacts to privacy, dominance and losses of light. The extended patio results in a vantage point to overlook neighbouring curtilages given its extension by approximately 1m. Extended and enlarged fence panels are present to the eastern boundary to mitigate the potential overlooking created by the extended patio area into the garden serving No. 8. The height of these panels is between approximately 1.8m to 2m in height from the finished floor level of the patio. Some sideways views are gained over the lowest panel on the garden level, however, given that this is to the rear of the garden, an area already overlooked by windows to the property from the original patio and from windows at first floor level, I do not consider that this would be objectionable. Some dominance is considered to arise from the panels and the pergolas, due to their height and siting. Given their relatively modest depth, and the fact that most of the garden would remain unimpacted, I do not consider that the fence panels and pergolas cause unacceptable losses of light and dominance. The felling of the trees is acknowledged, and would result in a degree of 'opening up' to this side boundary. I consider that the potential sense of overlooking as a result of this, and the extended patio is acknowledged, however, I do not consider that new overlooking would arise owing to the existing presence of first floor windows to the dwelling, and the presence of the fence panels along this shared boundary.
- 4.3.7 Turning to No. 12, a pergola is present to their shared boundary. Some dominance and light loss will arise in the mornings, however, given its open sided nature and modest depth, I do not consider that the pergola overbears or overshadows this neighbour. The extended patio is considered to provide some degree of overlooking for this neighbour, however, I consider that the original arrangement allowed for overlooking over the fence owing to its relatively modest height as original. No objection has been received from this neighbour, and the pergola benefits from a roller screen on the boundary, providing some degree of mitigation for overlooking into this neighbour. Overall, impacts to privacy are not considered to be so harmful or detrimental to warrant objection.
- 4.3.8 Given the above, it is considered that the development would result in no unacceptable detrimental impact upon neighbouring occupiers and is therefore compliant with Policy D3 of the local plan and the aims of the National Planning Policy Framework.

Highways and Parking:

- 4.3.9 The development is served by a minimum of two parking spaces that are off-street, therefore impacts to parking provision locally would not be harmful.

Environmental Implications:

- 4.3.10 The development, by virtue of its limited scale in general terms together with the sustainable location would have no significant implications for the local environment in terms of carbon emissions and therefore is generally in compliance with Section 14 of the NPPF.

Biodiversity Net Gain:

- 4.3.11 This is a householder application which is exempt from BNG Legislation defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

4.4 **Conclusion**

- 4.4.1 The development is considered acceptable and is considered to comply with the necessary provisions of the Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

4.5 **Alternative Options**

- 4.5.1 None applicable.

5.0 **Recommendation**

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 5 November 2025	